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February 1, 2007

The Honorable Jack B. Weinstein  
United States District Judge  
United States Courthouse  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: In re Zyprexa Product Liability Litigation (MDL 1596)

Dear Judge Weinstein:

I write in my capacity as court-appointed Special Discovery Master in the Zyprexa multidistrict litigation. In prior orders of the Court, James Gottesman, Esq., was directed to take certain steps to secure the return of documents that had been produced by Eli Lilly and Company under the protections of CMO-3, and which Mr. Gottesman had subsequently received from Dr. David Egilman and then disseminated to various third parties. I write now to update the Court concerning the return to me of those documents.

I list below the individuals who have returned documents to me since Judge Cogan's order of December 18, 2006. In every instance documents were returned to me in electronic format, stored on optical discs (CDs and/or DVDs). Along with the names of the individuals who have returned documents to me, I include the date of the return and the number of disks that each individual returned (several individuals returned the original CD mailers from Mr. Gottesman still unopened). In some instances the discs were accompanied by a cover letter or other note; I attach copies of those materials as well.

1. Peter Breggin, 2 discs received January 9, 2007;
2. Will Hall, 1 disc received by hand from John McKay, Esq., January 16, 2007;
3. Grace Jackson, 2 discs received December 20, 2006, with cover note (copy attached);
4. Stefan Kuszenski, 1 unopened CD mailer received January 10, 2007, with cover letter (copy attached);
5. Congressman Henry Waxman, 1 disc received December 22, 2006, with cover letter (copy attached);
6. Bruce Whittington, 1 unopened CD mailer received January 3, 2007, with cover letter (copy attached);
7. Laura Ziegler, 1 disc received December 28, 2006.

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CV 07-504 (JBW)

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In addition to discs received from the above individuals, I have received a total of 10 discs from Mr. Gottstein, either directly or via his counsel, as follows: 7 discs on December 22, 2006; one disc on December 28, 2006; one disc on January 2, 2007; and one disc on January 16, 2007.

Under separate cover, today I am sending to the Court all of the above identified discs.

Respectfully,



Peter H. Woodin  
Special Discovery Master

Attachments

cc: John McKay, Esq. (counsel for James Gottstein, Esq.) (via email)  
Edward Hayes, Esq., and Alex Reinert, Esq., (Counsel for Dr. David Bergman) (via email)  
Byron M. Janush, Esq., Richard D. Meadow, Esq. and William M. Audet, Esq. (for the Plaintiff Steering Committee) (via email)  
Nina M. Gussack, Esq., and Sean P. Paley, Esq. (counsel for Eli Lilly) (via email)